

Attorney Docket No.: 13DV-14050 (21635-0048)
Serial No.: 09/900,411

The claims recite “second cooling the article to a temperature of less than about 800°F at a second cooling rate that does not exceed about 15°F per second” [quote from claim 1] and the like, and the same disclosure is presented in the Specification. See para. [0007] and [0023]. Full support for the claim limitation is found in the Specification, as the Examiner is well aware.

This new rejection, which was not previously made, arises only because Applicant requested the Examiner to follow the rules and not because of any insufficiency of disclosure in the present Specification. If inherency is asserted in forming a rejection, the Examiner is required to factually support the position of inherency if the Applicant makes the request. Applicant made the request in a timely manner. In the explanation of the rejection, there is an assertion that Applicant contested a point. In fact what Applicant did was to request that the rules be followed.

Applicant asks that the Examiner reconsider and withdraw this ground of rejection.

Claims 1, 4-6, 8, 9, 12, 13, 16, 17, and 19 are rejected under 35 USC 103 as unpatentable over ASM Handbook Volume 2. Applicant traverses this ground of rejection.

Claims 2, 3, 14, and 15 are rejected under 35 USC 103 over ASM in view of Ruckle ‘092. Applicant traverses this ground of rejection.

Claims 7, 10, 11, 18, 20 and 21 are rejected under 35 USC 103 over ASM in view of Whang ‘826. Applicant traverses this ground of rejection.

Applicant incorporates the remarks regarding these rejections from the Response submitted December 23, 2002.

Response to Arguments

The Examiner addresses three of the points raised in the prior Response.